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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

FILED

APR 6 2005

By Dep. Clerk

Civil Action No. 05-cv-1580

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
SEQUA CORPORATION; AND)
JOHN H. THOMPSON,)
)
Defendants.)

)

NOTICE OF LODGING
REMEDIAL ACTION/REMEDIAL DESIGN CONSENT DECREE

The United States respectfully provides notice of the lodging of a Remedial Action/Remedial Design Consent Decree ("Consent Decree") related to the Dublin TCE Site ("Site"), located at or near 120 Mill Street, Borough of Dublin, Bucks County, Pennsylvania. The notice is being provided concurrently with the filing of the United States' Complaint in this matter. No action is required by the Court at this time, because the Consent Decree is subject to a thirty-day public comment period, as discussed below.

The United States, on behalf of the Administrator of the United States Environmental Protection Agency ("EPA"), is filing the Complaint, pursuant to Sections 106, 107 and 113(b) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. §§ 9606, 9607(a) and 9613(b). The Complaint names the Sequa Corporation ("Sequa") and John H. Thompson ("Thompson") as defendants in this action.

The Complaint seeks recovery of response costs incurred or paid by the United States, subsequent to September 30, 1999, as well as costs to be incurred, in response to the release or substantial threat of release of hazardous substances at the Site. Further, the Complaint requests that the Court enter an order requiring defendants to implement the remedy for the Site selected in the Record of Decision ("ROD"), as amended, issued by EPA on September 9, 2002. Prior to filing the Complaint, the United States and defendants Sequa and Thompson conducted good faith settlement negotiations and reached a settlement. The settlement resolves the United States' claims for relief set forth in the Complaint with respect to both defendants. The full terms of the settlement are incorporated into the Consent Decree lodged with the clerk of the court simultaneously with the filing of the Complaint. The Consent Decree provides that defendants will, inter alia: (a) implement the remedial measures specified in the Consent Decree, (b) pay the United States' past costs in the amount specified in the Consent Decree, and (c) pay the United States' future response costs incurred in connection with the Site.

In considering a consent decree, the district court's role is only to "satisfy itself that the settlement is reasonable, fair, and consistent with the purposes that CERCLA is intended to serve." United States v. Cannons Engineering Corp., 899 F.2d 79,

84 (1st Cir. 1990); United States v. Charles George Trucking, Inc., 34 F.3d 1081, 1084 (1st Cir. 1994). As stated at page 4 of the Consent Decree, the parties believe that the Consent Decree "is fair, reasonable, and in the public interest." Further, as stated below and consistent with the Consent Decree, the United States will file an appropriate motion regarding entry of the Consent Decree following expiration of the required public comment period.

Pursuant to Department of Justice policy, 28 C.F.R. § 50.7, and Section XXXIV of the Consent Decree, the United States is lodging the executed Consent Decree at this time, subject to notice of it being published in the Federal Register for a thirty-day (30) public comment period. Upon expiration of the public comment period and subject to a review of any comments received, the United States will file an appropriate motion regarding entry of the Consent Decree. Accordingly, no action is required by the Court until the public comment period expires and the United States files an appropriate motion.

Respectfully submitted,

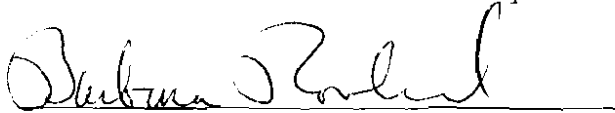
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A handwritten signature in black ink, appearing to read "Barbara Rowland", is written over a horizontal line.

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CERTIFICATE OF SERVICE

I hereby certify that on April 6, 2005, copies of this Notice of Lodging and the Consent Decree, with Attachments, executed by the parties, were served on counsel listed below by United States Mail, Postage Prepaid:

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